

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 7, 1967  
10:00 A.M.

Council Chamber, City Hall

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The meeting was called to order with Mayor Akin presiding.

Roll call:

Present: Councilmen Janes, Long, Nichols, Mayor Akin  
Absent: Councilman LaRue

Present also: R. M. Tinstman, City Manager; Doren R. Eskew, City Attorney; Robert A. Miles, Chief of Police

Invocation was delivered by BILL IRVIN, Mission Secretary for the Austin Baptist Association.

MAYOR AKIN introduced MR. R. M. TINSTMAN, the new City Manager, who is going to do great things for the City of Austin. Mayor Akin also introduced the Assistant City Manager, MR. CHARLES HILL.

Councilman Long moved that the zoning hearings set for 10:00 A.M. be recessed. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

SOUTH AUSTIN CIVITAN CLUB'S OFFER TO BEAUTIFY ISLAND

The Recreation Director reported that MR. WAYNE WALDEN, President South Austin Civitan Club had worked closely with the Recreation Department and had submitted his proposal to the Parks and Recreation Board. MR. WALDEN presented the rendering by the Landscaping Division of the Recreation Department of the area--the property between South Congress Avenue, College Avenue, and East Live Oak Street--and read a letter from the South Austin Civitan Club pledging to finance and to this beautification work consisting of sidewalks, bushes, ground coverage, and a gazebo in conformity with this detailed drawing. The club would maintain this island for not less than one year, and would further pledge itself to encourage other clubs to undertake such beautification projects. Mayor Akin,

on behalf of the Council expressed heartfelt thanks and appreciation for this gesture of community effort in the interest of the whole City.

#### REQUEST FOR IMPROVEMENT OF JUNK YARDS ON EAST 4TH

MRS. JOE SAUCEDO, President of the Neighborhood Civic Association, Mrs. Victor Ruiz, Vice President and the Secretary, presented a petition to the Council, asking for improvement of their community, and pointing out that junk material at Gardner Iron & Metal Company, 1201 East 4th Street, had spilled on to City property, forcing children and everyone to walk in the street. Nesting places of rats, mice, roaches, snakes, tarantulas, and mosquitoes in Gardner Iron & Metal Company and Austin Metal & Iron Company, 904 East 4th, should be eliminated. They recommended that a high wall barrier be placed around both junk yards so the junk could be contained and the unsightly view be reduced to a minimum. The Neighborhood Civic Association invited the Council to visit the neighborhood so they could see the problem. Mayor Akin stated the Council would be glad to accept their invitation and would be in touch with the group at a later time.

MRS. RUIZ read the petition sent to the property owners at East 3rd Street and San Marcos and Waller Street between 3rd and 4th Streets, asking these gentlemen to help to stop the danger to them from rats, snakes, roaches and other vermine breeding in junk yards, and that a fence be put along East 3rd. Such a fence could be made from corrugated iron. They asked that a light bright enough to adequately illuminate the area be installed to discourage prowlers; requested that both junk yards be sprayed for rats, roaches and other varments; and that the weeds be cut. There is junk that has not been touched for seven years in front of one of their homes. Councilman Nichols moved that all ordinances be met and that the City Manager make this investigation; and if he feels that they are derelict in meeting the ordinance, that something should be done to see that these ordinances are carried out. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
Noes: None  
Absent: Councilman LaRue

#### HUMAN RIGHTS

Mayor Akin announced that Austin had a good reason to be proud of its splendid record of harmony among all of its citizens in all parts of the community. It was his opinion that Austin could not afford to indulge itself beyond the point of self congratulation regarding the fine relationships between the minority and majority groups. Efforts have been made to achieve equality of opportunity for all citizens and he felt enough had not been done in the interest of continuing the fine relationship, and improving it. The City of Austin occupies the principle leadership role for whatever steps are taken to insure a better feeling that the most is being done and will be done to give all people in Austin who have the qualifications to achieve in any area they wish the opportunity commensurate with their abilities and qualifications. In the first step, the Mayor stated, this represents a policy of the City Manager, a policy he has practiced and operated in the City from which he comes with great success. The Mayor read a Resolution prepared by the City Manager, his Assistant, and the

Legal Department which in effect reaffirms the City's Fair Employment Policy. The Resolution provided that it is the policy of the City Council in keeping with the intent of the City Charter that all appointments, promotions, assignments and other personnel actions should be made on the basis of merit and fitness; ability, training, character, and experience; needs of the City Government and the Community; assuring equal employment opportunity without regard to race, color, religion, or national origin; that the City Manager in keeping with the responsibilities invested in him by the City Charter shall be supported in the implementation of these policies and copies of this policy are to be sent to all Department heads.

Councilman Long stated this has long been the policy of the City, but Austin does have a new City Manager, and she agreed the Resolution was in order that the Council reaffirm its policy and insist that it be carried out.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

A RESOLUTION RELATING TO PERSONNEL POLICIES AND STANDARDS; VOICING SUPPORT FOR THE CITY MANAGER IN THE IMPLEMENTATION OF THESE POLICIES; AND DIRECTING COPIES OF THIS RESOLUTION BE MADE AVAILABLE FOR DISSEMINATION TO ALL DEPARTMENT HEADS.

WHEREAS, the City government does exist for the primary purpose of providing common services on a uniform basis throughout all of the community, and is supported in this purpose by public funds, and

WHEREAS, the City Charter provides that: "--all appointments and promotions shall be made on the basis of merit and fitness.", and

WHEREAS, the effectiveness of community services is largely determined by the calibre of the public servants of the municipal corporation and it is the continuing desire of the City Council to improve the calibre of the public servant in the municipal corporation, and

WHEREAS, the City Council supports the policy of equal opportunity in the service of mankind and the spirit of a society governed by the laws, rather than by men,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, in its regular session assembled that:

Section I: It is the policy of the City Council, in keeping with the intent of the City Charter, that all appointments, promotions, assignments, and other personnel actions should be made on the basis of (1) merit and fitness, with due consideration of (2) ability, training, character and experience (3) the needs of the City government and community it serves, and (4) assuring equal employment opportunity without regard to race, color, religion, or national origin.

Section II: The City Manager, in keeping with the responsibilities vested in him by the City Charter, shall be supported in the implementation of these policies.

Section III: The City Manager is hereby requested to make available sufficient copies of this resolution, for dissemination to each Department Head, for posting on all employee bulletin boards.

The motion, seconded by Councilman Nichols, carried by the following vote:  
 Ayes: Councilmen Long, Nichols, Mayor Akin, Councilman Janes  
 Noes: None  
 Absent: Councilman LaRue

MR. VOLMA OVERTON, N.A.A.C.P. reminded the Council it had before it the matter of open housing. This was a part of their request, and the Council had not made any contact with them about this. He asked the Council to make some decision about open housing. Mayor Akin stated he would bring this up at a later time.

DR. ROTH mentioned that some people would not be able to demonstrate abilities, and they must be given opportunities for positions without meeting that condition. Councilman Long explained that demonstrated abilities had to do with letters of recommendation, schooling, and testing. Councilman Nichols added this encompassed promotions and assignments, and is not limited to a beginner or someone new in the business.

#### OPEN HOUSING

MAYOR AKIN announced it was his feeling that further steps are needed to re-enforce the policies that are lived by in City government, in the spirit of fair play, equality of opportunity and other areas in City employment. He stated he had asked the City Manager and the City Attorney, and would now ask the City Council and citizens at large to supply any idea that might be worthy to include in a proposed ordinance which would be brought up for discussion at an early date. Work has already begun in this direction. The Mayor stated he realized there had been lack of acceptance; impatience among many people, particularly representatives of minority groups; and stated they were going to try to do the job that these people feel needed to be done. He announced there would be a hearing and opportunity for full discussion at such time as there are some specifics in a proposed ordinance.

#### ZONING

Pursuant to published notice thereof the following zoning applications were publicly heard:

|                     |                       |                       |
|---------------------|-----------------------|-----------------------|
| RUFUS B. WRIGHT     | 500 West 18th Street  | From "O" Office 2nd   |
| ESTATE, By Winifred | 1800-1804 San Antonio | Height & Area         |
| Wright Rusch        | Street                | To "C" Commercial 2nd |
|                     |                       | Height & Area         |
|                     |                       | RECOMMENDED by the    |
|                     |                       | Planning Commission   |

Councilman Nichols moved that the change to "C" Commercial 2nd Height and Area be granted. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
 Noes: None  
 Absent: Councilman LaRue

The Mayor announced that the change had been granted to "C" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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|                                  |   |  |
|----------------------------------|---|--|
| JAMES A. & CONSTANCE<br>WILLIAMS | 4811 Harmon Avenue<br>Additional Area<br>4807 & 4809 Harmon<br>Avenue | From "A" Residence<br>To "BB" Residence<br>RECOMMENDED by the<br>Planning Commission |
|----------------------------------|---|--|

Councilman Nichols moved that the change to "BB" Residence be granted. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
 Noes: None  
 Absent: Councilman LaRue

The Mayor announced that the change had been granted to "BB" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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|               |                             |   |
|---------------|-----------------------------|---|
| LAURA McCALEB | 3105 & 3107 Cedar<br>Street | From "A" Residence 1st<br>Height & Area<br>To "B" Residence 2nd<br>Height & Area<br>RECOMMENDED by the<br>Planning Commission |
|---------------|-----------------------------|---|

Councilman Nichols moved that the change to "B" Residence 2nd Height and Area be granted. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Nichols, Mayor Akin, Councilman Janes  
 Noes: None  
 Absent: Councilman LaRue

The Mayor announced that the change had been granted to "B" Residence 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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ARTHUR W. CAIN  
By A. E. Rhodes

300 East 35th Street  
3501-3505 Grooms  
Street

From "A" Residence  
To "BB" Residence  
RECOMMENDED by the  
Planning Commission

Councilman Nichols moved that the change be granted to "BB" Residence. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None  
Absent: Councilman LaRue

The Mayor announced that the change had been granted to "BB" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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DAN STATHOS, SR. &  
RICHARD STATHOS  
By John C. Foshee

1600-1604 Lavaca Street  
300-308 West 16th Street

From "C" Commercial 3rd  
Height & Area  
To "C-2" Commercial 3rd  
Height and Area  
RECOMMENDED by the  
Planning Commission

Councilman Long moved that the change to "C-2" Commercial 3rd Height and Area be granted. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

The Mayor announced that the change had been granted to "C-2" Commercial 3rd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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WHEELER-ATWELL, INC.  
By R. L. Armstrong

1914-2002 San Antonio  
Street

From "C" Commercial 2nd  
Height & Area  
To "C" Commercial 3rd  
Height & Area  
RECOMMENDED by the  
Planning Commission

Councilman Long moved that the change to "C" Commercial 3rd Height and Area be granted. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
Noes: Noes  
Absent: Councilman LaRue

The Mayor announced that the change had been granted to "C" Commercial 3rd Height and Area and the City Attorney was instructed to draw the necessary

ordinance to cover.

KELLY E. McADAMS  
By Kenneth Wendler

2008-2010 San Antonio  
Street  
501-505 West 21st  
Street

From "C" Commercial  
2nd Height & Area  
To "C" Commercial  
3rd Height & Area  
RECOMMENDED by the  
Planning Commission

Councilman Nichols moved that the change to "C" Commercial 3rd Height and Area be granted. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
Noes: None  
Absent: Councilman LaRue

The Mayor announced that the change had been granted to "C" Commercial 3rd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

JAY M. & DON R.  
EASLEY  
By R. L. Armstrong

2004-2006 San Antonio  
Street

From "C" Commercial  
2nd Height & Area  
To "C" Commercial  
3rd Height & Area  
RECOMMENDED by the  
Planning Commission

Councilman Nichols moved that the change to "C" Commercial 3rd Height and Area be granted. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

The Mayor announced that the change had been granted to "C" Commercial 3rd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

ALFRED W. NEGLEY,  
TRUSTEE  
By Sneed & Vine

6701-6703 Brenda Drive  
6800-6810 Twin Crest Dr.  
302-332 Huntland Drive

From "A" Residence  
To "B" Residence  
RECOMMENDED by the  
Planning Commission

MR. JOHN SELMAN represented the applicants. He located the property in relation to the Allied Stores and proposed development which would cause the whole area to change. This property could be "LR" Local Retail or "GR" General

Retail, but "B" Residence 1st Height and Area would seem proper now. Mr. Richard Hooper has contracted to buy the property for apartments. He said right of way had been worked out, by their giving 5' of land on Brenda Drive, and the recurbing of the street to the west of Brenda Drive was worked out and they had agreed to pay up to \$250.00 as their share for relocating the curb and widening the street and giving right of way. The Chief of Plan Administration, Mr. Stevens, stated when the property to the west comes in for reclassification, they would bring in this problem with their help. Opposition was expressed by Mr. Tom Fears, 6801 Deborah Drive, stating he had submitted a petition signed by 22 families on Deborah Drive and Twin Crest Drive opposing this change. Mr. Fears' property overlooked the City, and the view was a part of the value of the property. The houses have maintained privacy, and the residents did not want apartments jammed in close by. This development will decrease the value of their residential area. He understood the development of the Allied Stores was a long range plan and asked that their residential area be left as it is. The oldest house in this area is three years old. MR. SELMAN stated the view of the property could be cut off by two story duplexes, and he felt this would be a logical extension of zoning, and "B" Residence 1st Height and Area is the best classification to be used between a commercial and residential area. Mr. Fears stated two story dwellings could be placed on this property, but it would not be 40 unit apartments. Mr. Stevens said approximately 10 or 11 duplexes could be placed on this tract as presently zoned. Mr. Fears asked that the Council delay this until the people in the community could get better organized for a hearing. After discussion, Councilman Long moved that the Council uphold the recommendation of the Planning Commission and grant the change to "B" Residence. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
 Noes: None  
 Absent: Councilman LaRue

Councilman Janes stated he could appreciate the problem of living behind this development but it did appear that this may offer a certain amount of protection to grant the "B" Residence now, and they would not be coming along with "O" Office or "C" Commercial later.

Councilman Long stated "O" Office or "C" Commercial might be better than apartments.

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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|                    |                     |   |
|--------------------|---------------------|---|
| DR. S. J. CLARK    | 5000 Woodrow Avenue | From "A" Residence                            |
| ESTATE,            | Additional Area     | To "B" Residence                              |
| By Thomas M. Lemon | 4918 Woodrow Avenue | NOT Recommended by the<br>Planning Commission |

The applicant requested that the application be postponed so that parking problems could be worked out. Councilman Long moved that the Council postpone this case until the next regular zoning hearings which is October 5th. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
 Noes: None  
 Absent: Councilman LaRue

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RICHARD HOOPER  
By John Selman

6201-6203 Berkman Drive  
1700-1708 Wheless Lane

From "A" Residence  
To "B" Residence (as  
amended)  
NOT Recommended as  
amended by the Planning  
Commission

Mr. John Selman stated there was difference of opinion between the committee, the staff, full commission and the director. There is a tract adjacent to this property that is to be rezoned, and he asked that this case be postponed and be consolidated with the adjacent tract in its application. Councilman Long moved that the application be referred back to the Planning Commission for rehearing. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
Noes: None  
Absent: Councilman LaRue

ST. IGNATIUS CHURCH  
By Ken Zimmerman

205-303 W. Johanna Street  
2001-2005 Wilson Street  
Additional Area  
107-203 W. Johanna Street

From "A" Residence  
To "O" Office  
NOT Recommended by the  
Planning Commission

MR. KEN ZIMMERMAN represented the applicant, stating he would accept the Planning Commission recommendation of "B" Residence 1st Height and Area, and provide for the street widening. MRS. EULA MAE GRIMES, 111-113 West Johanna, opposed the zoning, stating no one in the 100 block or 201 West Johanna wanted this zoning as they wanted the area kept strictly residential; there was a rest home there, and their traffic is already a problem. In answer to Councilman Nichols' question, Mrs. Grimes stated she would still be in opposition if her property were omitted from the application. Councilman Janes asked for a staff report. The Chief of Plan Administration reported the staff included all of these lots from the standpoint of a zoning pattern. Councilman Janes asked if the portion of the "Additional Area" marked as AX and AS could be included in the "B" Residence zoning. The Chief of Plan Administration stated all the property was recommended "B" Residence 1st Height and Area, and it could be included on individual lots. The City Attorney suggested that the isolation of the small area by inclusion or exclusion might cause the attack on the ordinance on the basis of spot zoning. MRS. F. L. LONG, living next to the Austin Theater, stated she understood this property was donated by MR. SIMON GILLIS for Church purpose only; and at any time it were ever decided not to be used for the sanctuary, that it would revert to the estate. Now they want to use it as a boys' playground. She stated there was enough tax exempt property.

MAYOR AKIN announced he would excuse himself for a prior appointment, and the majority of the Council could continue with Mayor Pro Tem Long presiding. The Mayor was to present an award at the General Service Administration, and announced for the record that the GENERAL SERVICES ADMINISTRATION had won the National

Award for the second consecutive year for the Best Operative Group in the Nation, and that the Mayor, City Council, and City Manager were invited to attend the Ceremonies at 11:00 A.M.

MAYOR PRO TEM LONG presided.

Councilman Nichols moved that the additional area be excluded from the application. Mayor Long asked him to amend the motion excluding the property beginning at Mrs. Grimes' property line. Councilman Nichols amended his motion to exclude from the application Lot AV, Lot AU, Lot AT-1, Lot AT-2 and include the area set out in red and also include Lots AX and AS. (Lots coded on map) The Mayor had left, and there were only three members present. MAYOR LONG stated the motion lost for lack of a second. COUNCILMAN JANES moved that the recommendation of the Planning Commission be upheld. MAYOR LONG stated this motion died for lack of a second; and until all members of the Council were present, this application could not be acted upon.

MR. ZIMMERMAN stated they were planning to use the existing buildings, putting them in good repair and cleaning the area. These boys ranging from 7 to 17 years of age need to have a club. The staff is small, and there would be no parking problem. In answer to Mayor Long's questions, Mr. Zimmerman stated this would be sponsored by donations; it is the AUSTIN BOYS CLUB and will have professionally trained staff members on the premises at all times. Mrs. Grimes still opposed, stating the boys would be on motorcycles and would create noise. Mr. Zimmerman estimated there were 2,000 boys in that area that needed this activity. Mayor Long stated there was an indication that the Council would vote for the club, but there was the question of the area which was to be omitted. Councilman Nichols expressed favoring the Boys' Club and doing what could be done to see that there is a club in the area, but he was also of the opinion that Mrs. Grimes' property should be excluded. MAYOR LONG stated this application would be continued until next week and placed on the Agenda.

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CARRIE BELLE HOUSER 4007-4011 Avenue C  
By Richard F. Lannert  
& William J. Scudder

From "A" Residence 1st  
Height & Area  
To "B" Residence 2nd  
Height & Area  
NOT Recommended by the  
Planning Commission

MR. RICHARD LANNERT represented the applicants, showing on a map the various uses in the area and stating this particular area was best suited for multiple unit dwellings. This location is three blocks from Guadalupe, an 80' street with 40' paving and curb, and on Avenue C with an existing 60' street. The area includes rental units, duplexes and a non-conforming five unit apartment house. Photographs were shown of the area. The area in general contains old houses not feasible to remodel and realize a fair return on the investment. People moving in with the new industries need housing like his client is proposing until they can buy their homes. This location is desirable also for graduate students with small families. His client has a contract of sale contingent upon zoning, and "B" Residence 2nd Height and Area is necessary, and is already in the area. This development would certainly improve the neighborhood; there are no right of way problems, and adequate off street parking will be provided. It is estimated that between 1967 and 1975 45% would go into multiple

family dwellings. The area is fluctuating; if the property is left as it is, there will be a situation worse than there is now, and the area will go down until such zoning occurs.

Opposition was expressed by MR. BILL BOATRIGHT who submitted a petition.

MAYOR AKIN RETURNS TO THE COUNCIL MEETING AND  
PRESIDES

The people Mr. Boatright represented felt the apartment house would be a nuisance to their property. The street is narrow. Off street parking will not be provided for all of their tenants. Mr. Boatright had two rental units and his home, and he kept them well maintained. The people living in the area are retired. Apartments are known for all night parties, and this area does not need to be zoned for apartment houses. He submitted his petition from those on Avenue C, Avenue B and Avenue D. Mrs. August Oertli objected, as the proposed apartment would be next door to her. There would be noise and racket all the time. Opposition was expressed by MR. SAM FRANK and MR. WM. W. WYMAN who were protesting the zoning as there is too much traffic on the narrow street now.

MR. ROGER FRANK, owner of one of the properties in question, stated parking would be better controlled under this plan than just renting a house to some one who comes along. Apartment houses are required to have off street parking. His personal interest was to receive a fair return for his investment.

MR. JIM MAYFIELD, an apartment manager, said it was better to handle better properties; and he would leave it up to the Council as to the type of rentals this would bring in.

Another property owner stated the area was in a transition period and the highest and best use would be multiple units, and they would give a better return to the property owners and give assistance to the housing in Hyde Park.

Councilman Janes asked for a staff report. The Chief of Plan Administration stated the Commission felt the area would change in time, but that it should not go in on a lot or two lots basis at a time; that there are still good housing in the area north of 40th Street; and if changes are to occur there should be a look at the area as an area rather than with one or two lots at a time, to the detriment to the better housing. Councilman Long noted area studies took a year or two, and she felt that areas in transition stages would be slowed down. The Chief of Plan Administration stated a recent study had been made for the area south of 38th Street and "B" Residence 1st Height and Area was recommended. They had not been instructed to conduct a study north of 40th Street. There was a general opinion of a lower density than "B" Residence 2nd Height and Area. The streets are adequate for apartment dwelling.

Councilman Long moved that the Council postpone final action on this zoning at 4007-4011 Avenue C until next week since it is not recommended. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
Noes: None  
Absent: Councilman LaRue

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VERNA C. CARLSON &  
SYLVION KIVLIN

2515-2606 Wheless Lane  
2511-2513 Wheless Lane

From "A" Residence  
To "B" Residence  
NOT Recommended by the  
Planning Commission

MR. ALVIS VANDYGRIFF represented the applicant, asking that the Council consider overruling the Planning Commission recommendation in that these lots contain half an acre each. Mrs. Kivlin owns Lots 13 and 14, on which are four duplexes or eight units. There is a strip between the duplexes where they want to construct an additional duplex. The area is fast developing, and there is commercial on the arterial street Wheless Lane. Mrs. Kivlin gave 10' for widening Wheless Lane. Mr. Carlson will give 10' also for right of way. This area is not being used for its best use.

MR. E. H. McDONALD objected to apartment houses in the vicinity as this was a school area; and public housing and traffic problems resulting from apartments were not appropriate in this area. It was decided Mr. McDonald was more concerned in the zoning case at 1700 Wheless Lane (which was referred back to the Planning Commission) and a case coming before the Planning Commission on September 12th.

Opposition was expressed by COLONEL NEWMAN, 2615 Wheless who lives adjacent to the property, and who emphasized they were living in an area where they were rearing their families, and did not want apartments in the area. He pointed out this is spot zoning. Councilman Long inquired if this area could be resubdivided. The Chief of Plan Administration explained the land had already been subdivided as far as it could be. He reported on the case, stating MRS. KIVLIN had attempted to zone the property in 1965, and the same problems of street right of way and intrusion into the residential neighborhood were present. The property was replatted from one large tract to three residential lots of such size as to build duplexes. There are four duplexes on the three legal lots. She wants to rezone the property and add the Carlson property where the back portion could be used along with hers, for an additional duplex. The only thing that could be done was to attach a duplex to one of the existing structures. The Commission felt it was still an intrusion into a residential area, and the street is still inadequate, even though Mrs. Kivlin had dedicated 10' of right of way for future widening. Mr. Vandygriff stated the development was still residential in character. Mrs. Kivlin stated there were only two blocks of Wheless Lane, a collector street, that remained inadequate. She showed plans for the development, stating plenty of off street parking spaces was available. Mrs. Kivlin pointed out there were non-conforming uses in the area, and a structure had been moved in but not put into a livable condition yet. It has been through a hearing and condemned. The Colonel who objected to the zoning, she said, had his air conditioning business on his property. MR. HARRY MADDOX, 2707 Wheless, stated the air conditioners on the duplexes there now are disturbing to him. He opposed the change of zoning for apartments. Finally after discussion, Councilman Nichols moved to postpone decision until next week. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None  
Absent: Councilman LaRue

## ANNEXATION

Councilman Nichols moved that the Council receive the Report on Research Boulevard Area Study. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

The Council had before it for second reading the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 92.57 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NO. 18 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Nichols moved that this be continued until next week. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
Noes: None  
Absent: Councilman LaRue

The City Manager, MR. TINSTMAN, reported on a brief meeting with several staff members, stating they were studying the annexation policies to try to provide whatever information they could concerning annexation. This is an important policy consideration for the City Council. If the policy is to change he hoped they could be of assistance in providing information and consideration so the Council, if it desired to change the policy, it could do so conscientiously and with as much information available, rather than approaching this on a "one at a time" basis. Councilman Long asked if the Council would be interested in taking in all the areas that the School District now serves. Councilman Nichols' concern in annexation was with industries' moving to Austin, that the goose that laid the golden egg could be killed unless a precedent and a pattern for annexation were established. In the past it had been the policy of the Council not to annex without being requested to do so by the owner of the property. The City Manager asked the Council to share with him and the staff what their thoughts were regarding the policy and what should be taken into consideration. Councilman Long stated the policy needs to be fair and equitable, and an action like annexing these 35 acres was not fair and equitable because it was taken in under the precepts of not having jagged edges, but they were just as jagged as they had been; and a certain man who was not willing to develop his property was left out, and the property owners who were not asking to be annexed and who had already developed were brought in. If a large area is to be taken in, she would consider it. She had favored the policy they had of not annexing large areas until they had caught up with that they brought in during 1951.

MAYOR AKIN stated Mr. Tinstman's point was well taken, and he believed a reevaluation of the present policy is in order; and that a more general policy

of eliminating the irregularities of the City's outline, resulting in facilitating planning in a more orderly fashion should be considered. Councilman Long said if industries were to be left out and homeowners brought in she was opposed to this.

Councilman Long moved that the Council recess until 2:30 P.M. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business.

#### DRAINAGE PROBLEM IN ST. JOHN'S AREA

MR. CHARLES PERRY, 7213 Bennett Street, outlined a big problem of water running through people's yards, caused by a developer's placing a line across another person's property causing flooding on Blessing Street. Councilman Long explained the problem of a subdivider's running a storm sewer pipe through a vacant lot, throwing the water off onto Blessing and Providence, and the ditch needs deepening so that it will carry off water faster. Mr. Perry reported another problem caused by people who do not keep their lots cleaned off. The City Manager called for a report from the Director of Public Works, who reviewed the matter stating they received a letter from one of the property owners in the area setting out their problems. In addition he had talked with two of the property owners. He and his Department was already checking on the conditions out there. The pipe comes out of Mr. Barron's drainage area on a low point in his subdivision. The pipe empties on Wilks Avenue. It is possible the developer dug the ditch on private property; and if that is the case, the developer can relocate the pipe in the street. There is one area they had been unable to drain, because the property owners would not give them drainage easements. Mrs. Taylor stated she would contact the property owners and get them to give the drainage easements; and if she will do that, the City would provide the ditch. The Public Works Director outlined the work to be done and stated the Department was working on this, and will be able to alleviate the problem. If there is a dedicated right of way, the pipe will be installed. On private property, if the owner pays for the pipe the City would install it. He showed a map of the area and the natural drainage routes. He said there were no easements on Buttermilk Creek from West of St. John's. This area was developed in 1940 before the subdivision ordinance was passed. He said his men were out investigating the whole problem, and they will see what can be done to alleviate this particular problem.

#### STREET PAVING IN ST. JOHN'S ADDITION

MR. CHARLES PERRY inquired about getting the streets paved in St. John's Addition. The Director of Public Works reported on a meeting with the group from St. Johns and the church on the west side of the Interregional, and furnished them with paving petitions, but so far those petitions have not come in. The drainage would have to be corrected before very much paving was done, and

the drainage cost is quite an expensive item. MR. PERRY had two petitions for paving, and Councilman Long asked him to turn those petitions into the Public Works Department.

The Director of Public Works showed the area where it would take a 60" pipe and perhaps a box culvert before some of those streets could be paved.

#### OPEN HOUSE AT THE CITY HALL

Councilman Nichols stated the citizens of Austin had indicated they would like to meet MR. R. M. TINSTMAN, City Manager, and suggested that there be an open house and coffee so that the citizens could come by and get acquainted. The Council set MONDAY, SEPTEMBER 18, at 4:00 to 6:00 P.M. in the Council Chamber for the City Employees and people of Austin to meet the City Manager and his Assistant.

#### SCHOOL TRAFFIC SAFETY PROCLAMATION

MAYOR AKIN suggested with the beginning of School, and in trying to develop good habits on the part of drivers and school children at intersections and in school neighborhoods, that the Council proclaim and publicize the necessity of safety and careful driving. Councilman Nichols moved to make such a proclamation for SCHOOL TRAFFIC SAFETY. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols

Noes: None

Absent: Councilman LaRue

. . . . .

The Council set Wednesday, September 13th, 2:00 P.M. as the time to appoint the Election Officials for the Sales Tax Election on September 30th.

#### GENERAL COMMUNITY

##### New Items

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon and across a part of Lot 6, Block D, of Shoalwoods Addition, Section One, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Shoalwoods Addition, Section One, of record in Book 6 at Page 62 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portion of said public utility easement, to-wit:

A strip of land five (5.00) feet in width, same being out of and a part of Lot 6, Block D, of Shoalwoods Addition, Section One, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Shoalwoods Addition, Section One, of record in Book 6 at Page 62 of the Plat Records of Travis County, Texas, which certain strip of land five (5.00) feet in width is more particularly described as follows:

BEING all of the south 105.17 feet of the east 5.00 feet of said Lot 6, Block D, Shoalwoods Addition, Section One.

The motion, seconded by Councilman Nichols, carried by the following vote:  
Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
Noes: None  
Absent: Councilman LaRue

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 14.20 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.  
(Colorado Hills Estates, Section 2, requested by developer)

Councilman Long moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on September 21, 1967 at 10:30 A.M. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None  
Absent: Councilman LaRue

Councilman Long moved that the Council grant the request of South Austin Optimist Club to sell Christmas Trees to support youth activity on a plot 200' wide facing South Lamar Boulevard just south of the Lamar Bridge and 315' deep in Decker League. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
Noes: None  
Absent: Councilman LaRue

Mayor Akin introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF JIM HOGG AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITIES AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

The Mayor announced that the ordinance had been finally passed.

Councilman Long moved that the Council set a public hearing on vacating 9th Street Alley from Possum Trot, at 10:30 A.M., September 21st. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
Noes: None  
Absent: Councilman LaRue

The Council had before it the following:

"August 30, 1967

"TO: Mr. Reuben Rountree - City Manager  
SUBJECT: Bids on 69 KV Substation Structure Addition to Wheelless Substation

"Bids for the subject Structure Addition, 1968 Fiscal Year, were opened at 2:00 P.M., August 29, 1967, by the Purchasing Agent and sent to the Electric Department for evaluation and recommendation.

"The bids are tabulated below:

| <u>VENDOR</u>                         | <u>PRICE</u>     | <u>DELIVERY</u>      |
|---------------------------------------|------------------|----------------------|
| Southern States, Inc.                 | \$35,470.00      | 40 weeks             |
| McGraw-Edison, Power Systems Division | 34,641.00        | 18 - 22 weeks        |
| Westinghouse Electric Corporation     | 39,960.00        | 34 weeks             |
| Techline, Inc.                        | 35,444.00        | 14 weeks             |
| <u>Priester-Mell Company, Inc.</u>    | <u>33,622.00</u> | <u>20 - 22 weeks</u> |
| Allis-Chalmers                        | 37,150.00        | 22 - 24 weeks        |

"All prices quoted are firm and all terms are net thirty (30) days.

"I recommend that we accept the low bid of the Priester-Mell Company, Inc. for a total expenditure of \$33,622.00.

"FROM: D. C. Kinney  
Director Electric Utility

SIGNED: D. C. Kinney"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 29, 1967, for the 69 KV Substation Structure Addition to Wheless Substation; and,

WHEREAS, the bid of Priester-Mell Company, Inc. in the sum of \$33,622.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Electric Utility of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Priester-Mell Company, Inc. in the sum of \$33,622.00, be and the same is hereby accepted, and that Robert M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Priester-Mell Company, Inc.

The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long

Noes: None

Absent: Councilman LaRue

Councilman Long suggested that the City Manager investigate the possibility of putting up for bids the building of these electric lines, as she understood only one man, MR. E. E. STUESSY builds most of the lines without their being put out for bids. She stated this was a policy she would hope to establish. The City Manager said he would report on what the past practices and policies had been and make some recommendations. The Director of Electric

Utilities, MR. DEXTER KINNEY, said they have crews who work on a line, and the people are ready to do the emergency work when there are storms. If they cut their crews down and contract all of the work, they would not have any emergency workers. Councilman Long referred to MR. STUESSY. The Director of Electric Utilities stated Mr. Stuessy did not build the lines; he just drills the holes and sets the poles in the ground. Councilman Long asked that another look be taken and see if this could not be done cheaper. Councilman Long moved that the City Manager be instructed to investigate the possibility of bidding for installation and drilling for poles for the connecting lines to substations, etc. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Long, Nichols, Mayor Akin, Councilman Janes  
 Noes: None  
 Absent: Councilman LaRue

Councilman Janes asked about how the cost was determined. Mr. Kinney explained they knew what the cost would be, and this man is paid by the hour.

The City Manager submitted the following:

"August 30, 1967

"Memorandum To: Mr. R. M. Tinstman, City Manager

Memorandum From: S. Reuben Rountree, Jr., Director of Public Works Department  
 Victor R. Schmidt, Jr., Director of Water and Sewer Department

"Sealed bids for EAST 23RD. STREET EASEMENT and OLDHAM STREET SANITARY SEWER MAIN and EAST 23rd. STREET EASEMENT, MANOR ROAD and OLDHAM STREET STORM SEWER PIPE were received until 11:00 A.M., Wednesday, August 30, 1967, at the Office of the Director of the Water and Sewer Department for the installation of 1046 feet of 8-inch cast iron Sanitary Sewer Main in East 23rd. Street Easement and Oldham Street and 502 feet of 30-inch, 202 feet of 21-inch and 358 feet of 15-inch concrete Storm Sewer Pipe in East 23rd. Street Easement, Manor Road and Oldham Street. The purpose of this installation is to relocate sanitary and storm sewer mains in the area of the L.B.J. Library. The University of Texas is to pay the entire cost of this project. The bids were publicly opened and read in the Third Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

| FIRM                                | <u>SANITARY SEWER</u> | <u>STORM SEWER</u> | <u>TOTAL BID</u> | <u>WORKING DAYS</u> |
|-------------------------------------|-----------------------|--------------------|------------------|---------------------|
| J. C. Evans Construction Company    | \$16,022.40           | \$11,400.80        | \$27,423.20      | 40                  |
| Walter Schmidt Construction Company | 25,959.55             | 20,993.70          | 46,953.25        | 80                  |
| Eland Construction Company          | 28,166.40             | 21,398.30          | 49,564.70        | 75                  |
| City of Austin<br>(Estimate)        | 12,003.50             | 8,630.50           | 20,634.00        | --                  |

"We jointly recommend the award to the J. C. Evans Construction Company of this

contract in the amount of \$27,423.20 with 40 working days.

"s/ S. Reuben Rountree, Jr.  
S. Reuben Rountree, Jr.  
Director of Public Works Department

s/ Victor R. Schmidt, Jr.  
Victor R. Schmidt, Jr.  
Director of Water and Sewer Department

Councilman Long noted these bids in that area were above the City estimates, and asked if it were because of administration's overlooking the rock. The Director of Public Works stated the rock would influence the bidding, and also the urgency with which the work had to be done for clearing for the L.B.J. Library. Mr. Evans estimated 40 days. The Director of Water and Sewer Utilities gave a report on an investigation he had made on the increases on all utilities work, listing three reasons: (1) The subdivision development has been beyond all comprehension in Austin, since the interest rates had been slackened, and the subdivision building has inundated the local utility contractors. (2) Most contractors have been forced to raise the wages 20-25% to attract personnel. (3) The rock in this area is deep. Mr. Schmidt stated the University of Texas will pay the entire cost of this project as a part of the agreement to vacate the streets. The City wanted to retain easements; and where it required lines to be moved the University would bear the cost.

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 30, 1967, for the installation of 1046 feet of 8-inch cast iron Sanitary Sewer Main in East 23rd. Street Easement and Oldham Street and 502 feet of 30inch, 202 feet of 21-inch and 358 feet of 15-inch concrete Storm Sewer Pipe in East 23rd. Street Easement, Manor Road and Oldham Street; and,

WHEREAS, the bid of J. C. Evans Construction Company in the sum of \$27,423.20, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of J. C. Evans Construction Company in the sum of \$27,423.20, be and the same is hereby accepted, and that Robert M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with J. C. Evans Construction Company.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
Noes: None  
Absent: Councilman LaRue

Mayor Akin introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (Avenue B and other streets)

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

The Mayor announced that the ordinance had been finally passed.

#### FINANCE AND ADMINISTRATION

##### Refund Contract

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER

INTO A CERTAIN CONTRACT WITH CAL MARSHALL, FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
 Noes: None  
 Absent: Councilman LaRue

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
 Noes: None  
 Absent: Councilman LaRue

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
 Noes: None  
 Absent: Councilman LaRue

The Mayor announced that the ordinance had been finally passed.

#### Aerial Trucks

The Council discussed the Helton-Hodges Motor Company bid for 36' Aerial Truck for Electric Department, Councilman Nichols noting the lowest combination was \$14,553.27. The City Attorney stated they included some information but did not complete either of the alternate bids, and submitted only one bid. Councilman Janes inquired about the delivery point. The City Manager stated the bids were analyzed as to the net cost to the City, and the delivery will be made in Austin. The Director of Electric Utilities gave a resume of the evaluation on the HELTON-HODGES, Holan-Ford combination. On the 45' aerial tower trucks, each company bid separately. The Director of Electric Utilities recommended the combination bids of HELTON-HODGES MOTOR COMPANY combination bid of \$14,726.90.

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 16, 1967, for the purchase of one (1) Thirty-Six Foot Aerial Tower Truck for Electric Distribution; and,

WHEREAS, the bid of Helton-Hodges Motor Company in the sum of \$14,726.90, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Helton-Hodges Motor Company in the sum of \$14,726.90, be and the same is hereby accepted, and that Robert M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Helton-Hodges Motor Company.

The motion, seconded by Councilman Janes, carried by the following vote:  
Ayes: Councilmen Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None  
Absent: Councilman IaRue

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 16, 1967, for the purchase of two (2) Forty-Five Foot Aerial Tower Trucks for Electric Distribution, and with two (2) units to be traded in; and,

WHEREAS, the bid of Utility Equipment Co., Inc., in the sum of \$37,214.66, for two Forty-Five Foot Aerial Towers and Body; and the bid of International Harvester Co. in the sum of \$9,562.00, for Cab and Chassis, were the lowest bids therefor, and the acceptance of such bids has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Utility Equipment Co., Inc. in the sum of \$37,214.66, and the bid of International Harvester Co. in the sum of \$9,562.00, be and the same are hereby accepted, and that Robert M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with Utility Equipment Co., Inc. and International Harvester Co.

The motion, seconded by Councilman Nichols, carried by the following vote:  
Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
Noes: None  
Absent: Councilman IaRue

#### REPORT FROM TAX EQUALIZATION BOARD

The City Manager submitted a report from the Tax Equalization Board to the Council, as follows:

"September 7, 1967

"The City Council  
City of Austin  
Municipal Building  
Austin, Texas

"Dear Council Members:

"Complying with provisions of the City Charter, we, your Board of Equalization

for the year 1967, herewith submit our report of activities.

"The Board of Equalization convened August 14, 1967, and began hearing appeals that date. All property owners who filed an appeal requesting a hearing and appeared at the designated time were heard. There were conducted 128 separate hearings representing 266 individual properties. In addition to these, there were 19 appeals scheduled for which the property owners either cancelled the appeal or did not appear, and there were 44 properties that were appealed by letter. A total of 329 dockets were prepared 310 properties were duly presented and considered by the Board of Equalization for the year 1967. Of this total, 43 property values were adjusted and 267 were sustained as established by the Tax Department.

"The Board was in session a total of 16 work days and spent a total of 96 hours in performance of our sworn duty.

"We want to commend the Tax Assessor and his department for the extensive effort expended to arrive at fair and equitable values of properties assessed. Their approach has been based on facts and available comparative information that reflects the true market values as nearly as can be determined. It has been a distinct pleasure to work with the Tax Department.

"Having completed its work, the Board of Equalization stands adjourned this day, September 6, 1967, subject to the call of the City Council to render any assistance the Council may desire. We hereby certify our approval of the 1967 Tax Roll for the City of Austin and the Austin Independent School District.

s/ John E. Harrison, Sr.  
John E. Harrison, Sr.

Respectfully submitted,

s/ Theo. P. Meyer, Jr.  
Theo. P. Meyer, Jr., Secretary

s/ Wilford Turner  
Wilford Turner, Chairman "

Councilman Nichols moved that the Council receive the report of the Tax Equalization Board and express appreciation to the members of the Board. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

#### REGULATION OF PARKING ON PRIVATE LOTS

Councilman Nichols reported receipt of a letter from MR. LEWIS E. BERRY regarding parking. The City Attorney stated this would need to be discussed with the Council, Chief of Police, and Traffic Engineer about methods of enforcement. The City Manager reported he had referred copies of this letter to the Chief of Police and Traffic Engineer for their comments.

#### MASTER PLAN AMENDMENT REQUEST

The City Manager reported there had been a request for amendment to the

Master Plan. The Planning Director stated the request is for an area of 51 acres between Steck Avenue and U.S. 183 east of the Missouri Pacific Railroad, and Shoal Creek Boulevard. Councilman Nichols moved that a hearing be set on the amendment to the Master Plan for September 21, 1967 at 10:35 A.M. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
Noes: None  
Absent: Councilman LaRue

. . . . .

Councilman Janes stated he had a letter from the City Clerk of Oklahoma City enclosing a resolution, and stated it would be in order to acknowledge official receipt of this resolution and make it a part of our permanent record. Councilman Janes read the resolution, as follows:

"R E S O L U T I O N

"WHEREAS, Robert M. Tinstman has served as City Manager of the City of Oklahoma City the past four years with ability, integrity, vigor and dedication to the principles of good government, during which time Oklahoma City has enjoyed an unprecedented era of honest and efficient city government, responsive to the will of the citizens of Oklahoma City through their elected representatives, the Members of the City Council and the Mayor; and

"WHEREAS, much of the progress of Oklahoma City during this time has been due to the unselfish, sincere and untiring efforts of Robert M. Tinstman.

"NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Oklahoma City that it express its gratitude on behalf of the citizens of Oklahoma City to Robert M. Tinstman for his outstanding service to the City of Oklahoma City, its regret at his departure and its hearty good wishes to him and his family.

"ADOPTED by the Council and APPROVED by the Mayor this 29th day of August, 1967.

s/ James H. Norick  
MAYOR

"ATTEST:

s/ E. Ray Long  
CITY CLERK"

Councilman Janes moved that the Council officially receive and file this Resolution. The motion, seconded by Councilman Nichols, carried by the following vote:

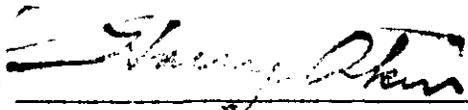
Ayes: Councilmen Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None  
Absent: Councilman LaRue

Councilman Nichols moved that the Council adjourn. The motion, seconded by Councilman Long, carried by the following vote:

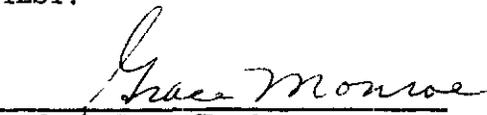
Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
Noes: None  
Absent: Councilman LaRue

The Council adjourned at 3:45 P.M.

APPROVED

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Asst. City Clerk

Informally, the City Manager reported on changes in the Council Room showing the sketch of the rearrangement, and stating a new sound equipment would be installed.

The Council discussed the new format for the Agenda. Councilman Long suggested when a person calls and wants to get advice about being listed on the Agenda, she asked them to call the City Clerk and be placed on the Agenda without having to go into details about what they want to talk about.

Mayor Akin stated he agreed in part. On the listing of names of individuals, certainly they would not need to be put through the third degree, but it would help if they would indicate what they were to discuss here, and he would see no harm in asking them their purpose.

Councilman Nichols commented on the Agenda format stating it looked good to him. He appreciated knowing what was being done in the public improvements.

Councilman Long stated in view of the ceremonial functions and people who wanted to appear, it would be wise to set the zoning hearing at a later hour rather than 10:00 A.M. The City Manager stated the proclamations, presentations, etc., could be handled effectively within the 30 minutes. The Council informally decided to set all public hearings at 10:30 instead of 10:00 A.M.

Councilman LaRue stated Mrs. Long had brought a subject of great interest to him; but stated the City could not do away with its maintenance crews. He

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would like to advocate contracting new work. The City Manager stated the construction work should be done by private contractors, and force account work under emergency conditions. Councilman Janes stated the seal coat program might could be done for less by City forces. Mr. Tinstman stated they would stay alert on this matter.